

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 13109, of St. Paul's Temple, pursuant to Sub-section 8207.2 of the Zoning Regulations, for a special exception under Paragraph 3101.41 to use the first floor of the subject premises as a day care center consisting of sixty students, three teachers and seven assistants in an R-1-B District at the premises 3420 - 16th Street, N.E. (Square 4009, Lots 1, 12, 13, 14 and 15).

HEARING DATE: December 19, 1979
DECISION DATE: January 9, 1980

FINDINGS OF FACT:

1. The subject site is located on the west side of 16th Street, between Lawrence and Monroe Streets, N.E. in an R-1-B zone district at premises known as 3420 - 16th Street, N.E.
2. The subject site has 270 feet of frontage on 16th Street, and 135 feet on Lawrence and Monroe Streets respectively. It is improved with the St. Paul's Temple Church of God in Christ.
3. The applicant proposes to operate a day care facility on the premises from 7:00 a.m. to 3:30 p.m.
4. The applicant proposes a maximum of sixty students, five teachers and seven assistants.
5. There will be no articles of commerce for sale on the subject premises.
6. The church owns the entire block between Monroe Street and Lawrence Street, N.E. The applicant proposes to use as play space, the approximately 7,150 of open grass area on the Monroe Street side of the property. This satisfies the requirements of Sub-paragraph 3101.41(d) of the Zoning Regulations, with regard to one hundred square feet of play area for each child.
7. The applicant testified that the school proposes primarily to serve the neighborhood within a radius of ten blocks.
8. The applicant proposes to provide a minimum of four parking spaces on the Lawrence Street side of the property.

9. There was no report from Advisory Neighborhood Commission 5A on this application.

10. There was no opposition to the granting of this application.

CONCLUSIONS OF LAW AND OPINION:

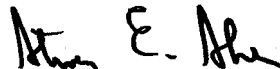
Based on the foregoing finding of fact and the evidence of record, the Board concludes that the applicant has substantially complied with the requirements of Paragraph 3101.41 of the Zoning Regulations and that the special exception can be granted without adversely affecting the use of neighboring properties. The Board further is of the opinion that the proposed day-care center is in harmony with the general purpose and intent of the Zoning Regulations and Map. Accordingly, it is hereby ORDERED that this application is hereby GRANTED SUBJECT to the following CONDITIONS:

- a. Approval is limited to a school to be operated by St. Paul's Temple only.
- b. Approval shall be for a period of THREE YEARS.
- c. There shall be a maximum of sixty students, five teachers, and seven assistants.
- d. The hours of operation shall be from 7:00 a.m. to 3:30 p.m.

VOTE: 4-0 (Charles R. Norris, Connie Fortune, William F. McIntosh and Leonard L. McCants to GRANT; Walter B. Lewis, not voting, not having heard the case).

BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 24 MAR 1980

UNDER SUB-SECTION 8204.3 OF THE ZONING REGULATIONS "NO DECISION OR ORDER OF THE BOARD SHALL TAKE EFFECT UNTIL TEN DAYS AFTER HAVING BECOME FINAL PURSUANT TO THE SUPPLEMENTAL RULES OF PRACTICE AND PROCEDURE BEFORE THE BOARD OF ZONING ADJUSTMENT."

THIS ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER, UNLESS WITHIN SUCH PERIOD AN APPLICATION FOR A BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY IS FILED WITH THE DEPARTMENT OF LICENSES, INVESTIGATIONS, AND INSPECTIONS.